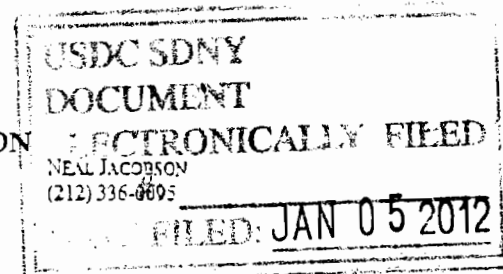




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UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
NEW YORK REGIONAL OFFICE  
3 WORLD FINANCIAL CENTER, ROOM 4300  
NEW YORK, NEW YORK 10281-1022



December 30, 2011

**BY FAX**

Honorable Laura Taylor Swain  
United States District Court Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

**BY EMAIL**

Honorable Richard J. Sullivan  
United States District Court Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

**Re: SEC v. Amerindo Investment Advisors, Inc., et al., 05-Civ. -5231 (LTS); United States v. Alberto William Vilar, et al., 05-Cr. 621 (RJS)**

Dear Judges Swain and Sullivan:

The staff of the Securities and Exchange Commission ("SEC") submits this letter in response to the Courts' December 19, 2011 Order directing the SEC to describe any relevant assets not previously identified in the submission by the parties to the above-referenced criminal action and the status and anticipated timing of any plans, proposals or agreed mechanisms for distribution of all relevant assets.

In addition to the assets identified by the Government, the SEC staff believes that additional limited assets may be held in accounts at Morgan Stanley and Bank of America as successor to U.S. Trust. The SEC staff has limited information about these accounts and will endeavor to supplement this letter prior to the hearing scheduled for January 10, 2012.

None of the assets are subject to the Court's jurisdiction in the SEC's civil action. The SEC has not obtained a judgment in the civil action nor did it seek to restrain any assets in the action. To the best of the SEC staff's knowledge, substantially all of the known assets that might be available for distribution to investors are subject to judicial restraint in the criminal action.

The SEC staff has been in discussions with the Government and counsel to the parties in both actions in an effort to reach a consensual resolution of the SEC's claims in the civil action and

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Honorable Richard J. Sullivan  
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to attempt to reach agreement on a plan for distribution of all known assets to investors. To date, the only agreement in principle reached has been between the SEC staff and the Government. In light of the extensive commingling of assets between Amerindo-related entities, the Government has agreed that, in the event it is ever in a position to distribute any forfeited assets, it would endeavor to distribute such assets to investors in all of the Amerindo-related entities including those subject to the SEC's civil action. This would ensure an equitable distribution among all known investors in the Amerindo-related entities.

Respectfully Submitted,



Neal Jacobson  
Senior Trial Counsel

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